

REMARKS

Claims 22 and 24 are currently pending in this application. Claims 1-21, 23, and 25-28 have been canceled.

Claims 22 and 24 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,877,031 to Watanabe et al. Applicant traverses on the basis that Claims 22 and 24 are not described in Watanabe et al.; among other things, Watanabe et al. require the use of email while Claims 22 and 24 do not. In addition, Applicant objects that final rejection has been made on the basis of new arguments and a new reference, to which Applicant has not previously had an opportunity to respond.

Claim 22 of the claimed invention provides an on-line service providing method comprising the steps of (a) carrying out a processing of images at a first terminal to produce processed images; (b) transmitting processed images and an identification number from said first terminal via a network to a commerce provider server; (c) storing said processed images in said commerce provider server in accordance with said identification number; (d) transmitting said identification number from a second terminal, located at a store, to said commerce provider server, wherein said second terminal is different from said first terminal; and (e) transmitting said processed images in accordance with said identification number from said commerce provider server via said network to said second terminal. Claim 24, which depends from Claim 22, adds that the network employed according to Claim 22 may comprise the Internet.

By contrast, Watanabe et al., as the Examiner observes, “discloses a network photograph service system . . . consisting of film being read by a digital scanner at a mini-laboratory, and generating a low resolution image from scanned data . . . and transmitting the image over the internet as an email attachment to an address provided by the user A.” (Office Action at 3) (emphasis added)

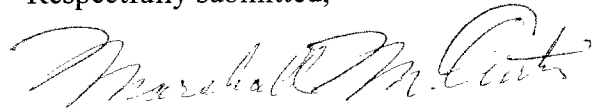
Watanabe et al. thus require transmission “as an email attachment” (Office Action at 3), which is not required by Claims 22 and 24. Conversely, Watanabe et al. do not require the use of a “second terminal” located “in a store,” as required by Claims 22 and 24, but instead Watanabe et al. permit the image to be retrieved “on the same personal

computer.” (Office Action at 3) In addition, Claims 22 and 24 claim “processed images,” without specifying a resolution, while a “low resolution image” is disclosed by Watanabe et al. (Office Action at 3)

In view of the foregoing, it is respectfully requested that the application be reconsidered, that Claims 22 and 24 be allowed, and that the application be passed to issue. Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney’s Deposit Account No. 50-2041 (Whitham, Curtis & Christofferson P.C.).

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Marshall M. Curtis".

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